

### REMARKS

Claims 1 – 4 and 7 – 11 are presented for reconsideration and further examination in view of the foregoing amendments and following remarks. Claims 5 and 6 were previously canceled and claims 12 – 22 were previously withdrawn.

In the outstanding Office Action, the Examiner rejected claims 1, 2 and 4 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,063,014 to Cakmakci (hereinafter referred to as “the Cakmakci ‘014 patent”); rejected claims 1, 2 and 4 under 35 U.S.C. §102(e) as being clearly anticipated by U.S. Patent No. 6,231,327 to Shanahan et al. (hereinafter referred to as “the Shanahan et al. ‘327 patent”); rejected claims 3 and 9 under 35 U.S.C. §103(a) as being unpatentable over the Shanahan et al. ‘327 patent in view of U.S. Patent No. 4,597,821 to Munro (hereinafter referred to as “the Munro ‘821 patent”); rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over the Shanahan et al. ‘327 patent in view of U.S. Patent No. 5,693,174 to Nakata et al. (hereinafter referred to as “the Nakata et al. ‘174 patent”); rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over the Shanahan et al. ‘327 patent in view of reference no. WO98/04390 to Hasenkamp et al. (U.S. Patent No. 6,432,237 being an English language translation thereof and hereinafter referred to as “the Hasenkamp et al. ‘237 patent”); rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over the Shanahan et al. ‘327 patent the and Munro ‘821 patent in view of the Hasenkamp et al. ‘237 patent; rejected claim 11 under U.S.C. §103(a) as being unpatentable over the Shanahan et al. ‘327 patent in view of U.S. Patent No. 3,239,402 to Ecklund et al. (hereinafter referred to as “the Ecklund et al. ‘402 patent”); rejected claims 1, 3, 4 and 9 under 35 U.S.C. §103(a) as being unpatentable over the Munro ‘821 patent in view of U.S. Patent No. 3,524,781 to Winterroth et al. (hereinafter referred to as “the Winterroth et al. ‘781 patent”); rejected claims 2 and 7 under 35 U.S.C. §103(a) as being unpatentable over the Munro ‘821 patent and the Winterroth et al. ‘781 patent in view of the Nakata

et al. '174 patent; and rejected claims 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over the Munro '821 patent and the Winterroth et al. '781 patent in view of the Hasenkamp et al. '237 patent; and rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over the Munro '821 patent, the Winterroth et al. '781 patent, and the Nakata et al. '174 patent in view of the Ecklund et al. '402 patent.

By this Response and Amendment Applicant traverses the Examiner's rejections.

### **Rejections Under 35 U.S.C. §102**

For a reference to anticipate an invention, all of the elements of that invention must be present in the reference. The test for anticipation under section 102 is whether each and every element as set forth in the claim is found, or either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131. The elements must also be arranged as required by the claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

#### **1. The Cakmackci '014 Patent**

The Examiner rejected claims 1, 2 and 4 under 35 U.S.C. §102(b) as being anticipated by the Cakmakci '014 Patent.

### **Response**

By this Response and Amendment, the rejection to claim 1 and the claims dependent thereon are respectfully traversed.

Independent claim 1 recites an “[a]pparatus for applying a plastic edge strip on an edge of a plate-like workpiece, a wooden board, a chip or particle board, or a board of wood-like particles, comprising: extrusion means for extruding a strand of plastic material on an edge of the workpiece; and forming means for forming the extruded strand of plastic material in a desired profile comprising at least one rotatable roller having a circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern as well as the profile; the desired profile of the strand of plastic material is provided by the extruded strand being squeezed between the forming means and the edge of the workpiece.”

The Cakmakci ‘014 patent discloses a method for molding trim strips by extrusion molding. The method includes extruding a ribbon of plastic into an open-faced cavity and moving a shaping roller over the ribbon to conform the ribbon to the surface of the mold cavity. As evinced by figures 4 and 5 of the Cakmakci ‘014 patent, the mold cavity is recessed such that a moldable material can be deposited therein and shaped with a roller that presses the moldable material into the recessed mold cavity.

The Examiner asserts that the device disclosed in the Cakmakci ‘014 patent is capable of extruding a strip on the edge of a plate-like workpiece. On the contrary, nowhere in the Cakmakci ‘014 patent is there disclosed an “extrusion means for extruding a strand of plastic material on an *edge* of the workpiece in a desired profile” as recited in independent claim 1. In fact, due to the preference that the moldable material be formed in a recess – a concavity – the ability to use the same device to apply a moldable material on a convex edge, the opposite of a concavity, is not shown expressly or inherently in the Cakmakci ‘014 patent. Therefore, the

presently claimed invention is patentable over the cited prior art as all of the features recited in independent claim 1 are not shown in the prior art. Also, claims 2 and 4, which depend from claim 1, are likewise patentable over the cited prior art as dependent claims contain all of the features of the independent claim from which they depend.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

## **2. The Shanahan et al. '327 Patent**

The Examiner rejected claims 1, 2 and 4 under 35 U.S.C. §102(e) as being clearly anticipated by the Shanahan et al. '327 patent.

### **Response**

By this Response and Amendment, the rejection to claim 1 and the claims dependent thereon are respectfully traversed.

Applicant notes the Examiner's assertion that a plastic strip applied to the edge of a plate-like workpiece is not supported by South African priority document number 99/1940 (hereinafter referred to as "the 1940 priority document") and the Examiner's assertion that "the workpiece [of the presently claimed invention] can comprise chip board, particle board, or a board made of wood-like particles" is also not supported by the priority document.

Applicant submits that the Examiner is incorrect in this assertion; the 1940 priority document *does* support applying a plastic strip to the edge of a plate-like workpiece and further supports a workpiece made of chip board, particle board, or a board made of wood-like particles. The 1940 priority document discloses "a method of manufacturing an *elongate* plastic article, which includes... forming the extruded feedstock strip into a formed strip with a desired profile

by means of at least one rotatable forming element.” *The 1940 Priority Document* at 2, *emphasis added*. “The feedstock strip may be extruded onto a substrate....” *The 1940 Priority Document* at 3. “The substrate may have a ‘T’ section, with the leg thereof having ribs or teeth *to secure the leg in a groove* in the surface.” *The 1940 Priority Document* at 4, *emphasis added*. The drawings of the 1940 priority document, and in particular figures 5 and 6, show a substrate that can be applied to the edge of a workpiece. A person having ordinary skill in the art would recognize that the type of substrate shown in figures 5 and 6 is a tongue-in-groove type substrate. A tongue-in-groove type of system includes a male, “T-shaped” substrate that can be interlocked with a female workpiece. In the case of edges of boards, furniture, etc., a tongue-in-groove system is used to secure a plastic strip as disclosed in figures 5 and 6 to the edge of a workpiece.

Included with this Response and Amendment, by way of example, is U.S. Patent No. 4,095,913 to Pettersson et al. titled “Tongue And Groove Joint” (hereinafter referred to as “the Pettersson et al. ‘913 patent”); *see also* U.S. Patent No. 5,165,816 to Parasin (titled “Tongue And Groove Profile”). This reference is included to show the use of a tongue and groove system along the edge of a panel. Similar to the “tongue 2” disclosed in the Pettersson et al. ‘913 patent, the substrates 16 and 18 disclosed in the 1940 priority document are designed to fit in an edge of a workpiece having a groove similar to that disclosed in the Pettersson et al. ‘913 patent as “groove 4.” A person having ordinary skill in the art at the time the present invention was made would understand that substrates 16 and 18, having a T-shaped cross-section, serve as the tongue portion of a tongue-and-groove system and therefore can be applied to the edge of a plate-like workpiece.

Furthermore, with respect to whether the workpiece can comprise chipboard, particleboard, or a board made of wood-like particles, the features recited in independent claim 1

are directed toward an apparatus for applying a plastic edge strip on an edge of a plate-like workpiece. The chipboard, particleboard or a board made of wood-like particles mentioned in the preamble of independent claim 1 are merely examples. Thus, independent claim 1 is primarily directed toward the application apparatus rather than what the workpiece is made of.

Notwithstanding the assertions made in the outstanding Office Action, the 1940 priority document *does* support particleboard, or a board made of wood-like particles. On page 11 of the 1940 priority document, Applicant disclosed that “[an] article 84 has a substrate 86 *that is of wood* which has been machined to have the profile shown.” *The 1940 Priority Document*, at 11, *emphasis added*. A person having ordinary skill in the art can decide whether this wood should be chip board, particle board, or a board made of wood-like particles just as that person can decide whether the wood substrate 86 should be oak, birch, spruce or some other type of wood. Therefore, Applicant respectfully asserts that the 1940 priority document does support all of the features recited in independent claim 1.

The 1940 priority document has a filing date of March 10, 1999 and the cited Shanahan et al. ‘327 patent has a filing date of July 2, 1999. Thus, the Shanahan et al. ‘327 patent is an improper reference as the 1940 priority document predates it and the presently claimed invention is patentable thereover.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections.

### **Rejections Under 35 U.S.C. §103(a)**

To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and

(3) that the prior art references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

**1. The Shanahan et al. '327 Patent In View of the Munro '821 Patent**

The Examiner rejected claims 3 and 9 as being unpatentable over the Shanahan et al. '327 patent in view of the Munro '821 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the improper use of the Shanahan et al. '327 patent are herein incorporated by reference.

Independent claim 1, from which claims 3 and 9 depend, recites an "[a]pparatus for applying a plastic edge strip on an edge of a plate-like workpiece, a wooden board, a chip or particle board, or a board of wood-like particles, comprising: extrusion means for extruding a strand of plastic material on an edge of the workpiece; and forming means for forming the extruded strand of plastic material in a desired profile comprising at least one rotatable roller having a circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern as well as the profile; the desired profile of the strand of plastic material is provided by the extruded strand being squeezed between the forming means and the edge of the workpiece."

The Munro '821 patent teaches a hand-held trigger operated adhesive hot melt gun. Munro

further teaches the use of pressure rollers that can aid in the application of the adhesive to a curved surface. These pressure rollers are positioned in groups of three.

Contrastingly, nowhere does the Munro '821 patent teach or suggest a “forming means for forming the extruded strand of plastic material in a desired profile,” the forming means “comprising at least one rotatable roller... having projections or recesses or projections and recess to provide the surface of the extruded strand of plastic material with ornamentation or a pattern...” as recited in independent claim 1. Rather, the group of pressure rollers disclosed in the Munro '821 patent simply acts to shape the adhesive to the curved surface – nothing more. The rollers themselves do not have projections and recesses for providing the surface of an extruded strand of plastic material with ornamentation or a pattern. Thus, as all of the features of the presently claimed invention are neither taught nor suggested by the cited prior art, the presently claimed invention is patentable thereover.

Applicant therefore asserts that as it is axiomatic that dependent claims contain all of the features of the independent claim from which they depend and as the Munro '821 patent does not teach or suggest a roller as recited in claim 1, the claim from which claims 3 and 9 both depend, the present invention is patentable thereover.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the rejection to claims 3 and 9.

## **2. The Shanahan et al. '327 Patent In View of the Nakata et al. '174 Patent**

The Examiner rejected claim 7 as being unpatentable over the Shanahan et al. '327 patent in view of the Nakata et al. '174 patent.



### **Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the improper use of the Shanahan et al. '327 patent are herein incorporated by reference.

Independent claim 1, from which claim 7 depends, recites an "[a]pparatus for applying a plastic edge strip on an edge of a plate-like workpiece, a wooden board, a chip or particle board, or a board of wood-like particles, comprising: extrusion means for extruding a strand of plastic material on an edge of the workpiece; and forming means for forming the extruded strand of plastic material in a desired profile comprising at least one rotatable roller having a circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern as well as the profile; the desired profile of the strand of plastic material is provided by the extruded strand being squeezed between the forming means and the edge of the workpiece."

The Nakata et al. '174 patent discloses an apparatus for attaching a molding to a peripheral edge of an article. The Nakata et al. '174 patent teaches a device comprising rolls that, as described in column 2, lines 35 to 40 of the cited patent, may serve for forming the molding in a shape suitable for covering the edge of the article. As is shown in Fig 18. of the Nakata et al. '174 patent, the rolls of the device disclosed in the cited patent mainly serve for further pressing the extruded strand to the edge of the workpiece, not for providing a patterned ornamentation to the strand.

In contrast, independent claim 1 of the present invention recites a "forming means for forming the extruded strand of plastic material in a desired profile," the forming means "comprising

at least one rotatable roller... having projections or recesses or projections and recess to provide the surface of the extruded strand of plastic material with ornamentation or a pattern....” Either or both the projections and recess of the rollers provide a patterned ornamental feature to the plastic material.

This feature is simply not present in the Nakata ‘174 patent. Nowhere in its disclosure does the Nakata ‘174 patent teach or suggest “provid[ing] the surface of [an] extruded strand of plastic material with ornamentation or a pattern as well as the profile.” Thus, as all of the features of the presently claimed invention are neither taught nor suggested by the cited prior art, the presently claimed invention is patentable thereover.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of claim 7.

### **3. The Shanahan et al. ‘327 Patent In View The Hasenkamp et al. ‘237 Patent**

The Examiner rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over the Shanahan et al. ‘327 patent in view of the Hasenkamp et al. ‘237 patent.

#### **Response**

Applicant respectfully traverses the Examiner’s rejections. The arguments above with respect to the improper use of the Shanahan et al. ‘327 patent are herein incorporated by reference.

Independent claim 1, from which claim 8 depends, recites an “[a]pparatus for applying a plastic edge strip on an edge of a plate-like workpiece, a wooden board, a chip or particle board, or a board of wood-like particles, comprising: extrusion means for extruding a strand of plastic material on an edge of the workpiece; and forming means for forming the extruded strand of plastic material in a desired profile comprising at least one rotatable roller having a

circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern as well as the profile; the desired profile of the strand of plastic material is provided by the extruded strand being squeezed between the forming means and the edge of the workpiece.”

The Hasenkamp et al. ‘237 patent discloses improvement of a surface of a wood-based material by applying a formable coating material, smoothing the coating material, and heating the coating material. The cited patent discloses applying a decorative layer to the surface of a wood-based material; however, the cited reference does not teach or suggest applying such a decorative layer to the surface of a material using a roller having a surface, which has projections and/or recesses thereon. In fact, the Hasenkamp et al. ‘237 patent teaches away from using rollers “having a circumferential profile substantially corresponding with the desired profile of the strand of the plastic material applied on the edge of the workpiece,” as recited in claim 1. The Hasenkamp et al. ‘237 patent discloses that “[The coating material] is preferably applied to the surface by means of a transfer tape. This has the advantage that there is no need for an applicator roller adapted to the profile to be coated in order to apply the material.” *The Hasenkamp et al. ‘237 Patent* at col. 2, lines 17 – 23. As such, claim 8, which contains all of the limitations of independent claim 1, is patentable over the Hasenkamp et al. ‘237 patent as this reference neither teaches nor suggests all of the limitations of independent claim 1 from which claim 8 depends.

Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

**4. The Shanahan et al. '327 Patent And The Munro '821 Patent In View The Hasenkamp et al. '237 Patent**

The Examiner rejected claim 10 as being unpatentable over the Shanahan et al. '327 patent and the Munro '821 patent in view of the Hasenkamp et al. '237 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the improper use of the Shanahan et al. '327 patent, and the arguments with respect to the Munro '821 patent and the Hasenkamp et al. '237 patent are herein incorporated by reference.

As Applicant has shown above that independent claim 1, the claim from which claim 10 depends, is patentable over the cited references, claim 10 is patentable thereover for at least the same reasons.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 10.

**5. The Shanahan et al. '327 Patent In View The Ecklund et al. '402 Patent**

The Examiner rejected claim 11 under U.S.C. §103(a) as being unpatentable over the Shanahan et al. '327 patent in view the Ecklund et al. '402 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the improper use of the Shanahan et al. '327 patent are herein incorporated by reference.

Independent claim 1, from which claim 11 depends, recites an "[a]pparatus for applying a plastic edge strip on an edge of a plate-like workpiece, a wooden board, a chip or particle board,

or a board of wood-like particles, comprising: extrusion means for extruding a strand of plastic material on an edge of the workpiece; and forming means for forming the extruded strand of plastic material in a desired profile comprising at least one rotatable roller having a circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern as well as the profile; the desired profile of the strand of plastic material is provided by the extruded strand being squeezed between the forming means and the edge of the workpiece.”

The Ecklund ‘402 patent discloses an apparatus for feeding a flat article along a linear path of travel, extruding a continuous ribbon of thermoplastic resin, applying a pressure against the ribbon to frictionally conform the ribbon about the edge of the flat article, and thereafter applying roll pressure to the ribbon on opposite sides of the article to firmly bond the ribbon thereto.

In contrast to the presently claimed invention, however, the Ecklund ‘402 patent does not teach or suggest a “rotatable roller having a circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern...” as recited in independent claim 1. As such, claim 11, which contains all of the limitations of amended independent claim 1, is patentable over the Ecklund ‘402 patent for at least the same reasons as claim 1.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 11.

**6. The Munro '821 Patent In View The Winterroth et al. '781 Patent**

The Examiner rejected claims 1, 3, 4 and 9 under 35 U.S.C. §103(a) as being unpatentable over the Munro '821 patent in view of the Winterroth et al. '781 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the Munro '821 patent are herein incorporated by reference.

Independent claim 1, from which claims 3, 4 and 9 depend, recites an “[a]pparatus for applying a plastic edge strip on an edge of a plate-like workpiece, a wooden board, a chip or particle board, or a board of wood-like particles, comprising: extrusion means for extruding a strand of plastic material on an edge of the workpiece; and forming means for forming the extruded strand of plastic material in a desired profile comprising at least one rotatable roller having a circumferential profile substantially corresponding with the desired profile of the strand of plastic material applied on the edge of the workpiece and further having projections or recesses or projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern as well as the profile; the desired profile of the strand of plastic material is provided by the extruded strand being squeezed between the forming means and the edge of the workpiece.”

The Winterroth et al. '781 patent discloses a method and apparatus for applying an adhesive to a sheet material along a marginal edge portion of the flat side of the sheet. During application of the adhesive, the sheet passes through two rollers that are oppositely positioned on either side of the sheet. The first roller is a transfer roller, the surface of which has grooves to receive the adhesive from an extruder, which is then rolled onto the sheet material as the sheet material comes in contact with the roller. The second roller is a back-up roller to ensure contact

between the transfer roller and the sheet material.

The Winterroth et al. '791 patent does not account for the deficiencies of the Munro '821 patent. In contrast to the presently claimed invention, the Winterroth et al. '791 patent does not disclose an "extrusion means for *extruding* a strand of plastic material *on* an edge of the workpiece," as recited in independent claim 1. Rather, the Winterroth et al. '791 patent discloses applying an adhesive to a grooved roller and not to the workpiece itself. Moreover, the Winterroth et al. '791 patent does not disclose a roller "having projections and recesses to provide the surface of the extruded strand of plastic material with ornamentation or a pattern," as recited in independent claim 1. Therefore, the presently claimed invention is patentable over both the Munro '821 patent and the Winterroth et al. '791 patent.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections to claims 1, 3, 4 and 9.

**7. The Munro '821 Patent And the Winterroth et al. '781 Patent In View of The Nakata '174 Patent**

The Examiner rejected claims 2 and 7 under 35 U.S.C. §103(a) as being unpatentable over the Munro '821 patent and the Winterroth et al. '781 patent in view of the Nakata et al. '174 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the patentability of the presently claimed invention over the Munro '821 patent, the Winterroth et al. '781 patent, and the Nakata et al. '174 patent are herein incorporated by reference.

As Applicant has shown above that independent claim 1, the claim from which claims 2 and 7 depend, is patentable over the cited references, claims 2 and 7 are patentable over the cited references for at least the same reasons as independent claim 1.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claims 2 and 7.

**8. The Munro '821 Patent and the Winterroth et al. '781 Patent In View of The Hasenkamp et al. '237 Patent**

The Examiner rejected claims 8 and 10 as being unpatentable over the Munro '821 patent and the Winterroth et al. '781 patent in view of the Hasenkamp et al. '237 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the patentability of the presently claimed invention over the Munro '821 patent, the Winterroth et al. '781 patent, and the Hasenkamp et al. '237 patent are herein incorporated by reference.

As Applicant has shown above that independent claim 1, the claim from which claims 8 and 10 depend, is patentable over the cited references, claims 8 and 10 are patentable over the cited references for at least the same reasons as independent claim 1.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections to claims 8 and 10.



**9. The Munro '821 Patent, The Winterroth et al. '781 Patent, and the Nakata et al. '174 Patent In View of the Ecklund et al. '402 Patent**

The Examiner rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over the Munro '821 patent, the Winterroth et al. '781 patent, and the Nakata et al. '174 patent in view of the Ecklund et al. '402 patent.

**Response**

Applicant respectfully traverses the Examiner's rejections. The arguments above with respect to the patentability of the presently claimed invention over the Munro '821 patent, the Winterroth et al. '781 patent, the Nakata '174 patent, and the Ecklund et al. '402 patent are herein incorporated by reference.

As Applicant has shown above that independent claim 1, the claim from which claim 11 ultimately depends, is patentable over the cited references, claim 11 is patentable over the cited references for at least the same reasons.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 11.

**CONCLUSION**

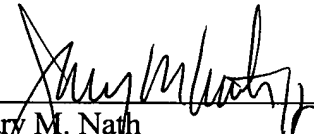
In light of the foregoing, Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,  
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